

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ATARI INTERACTIVE, INC.,

Plaintiff,

v.

Case No. 23-cv-08926

PRINTIFY, INC., JANIS BERDIGANS, and  
JOHN DOES 1–10,

Defendants.

**JOINT STIPULATION AND ~~PROPOSED~~ ORDER MODIFYING  
ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION  
AND TEMPORARY RESTRAINING ORDER**

Plaintiff Atari Interactive, Inc. (“Atari”) and Defendant Printify, Inc. (“Defendant”) submit this Joint Stipulation and Proposed Order Modifying the Order to Show Cause for Preliminary Injunction and Temporary Restraining Order.

WHEREAS, on October 11, 2023, the Court entered the Order to Show Cause for Preliminary Injunction and Temporary Restraining Order, and on October 17, 2023, the Court extended the deadlines and hearing set in that order (together, “TRO”).

WHEREAS, on October 26, 2023, Defendant moved for an order dissolving or modifying the TRO (“Motion”).

WHEREAS, after meeting and conferring, the Parties, in the interests of limiting the disputes presented to the Court to further judicial economy, have reached an agreement to resolve the Motion.

NOW, THEREFORE, the Parties stipulate to modifying the TRO with permission from the Court as follows:

1. Page 7, paragraphs 2 through 4, of the “Temporary Asset Restraint” shall be stricken.

2. Defendant denies that it ever has or will improperly transfer assets, but agrees that none of Defendant’s assets will be moved from U.S. accounts to foreign accounts with the intent to avoid enforcement of a judgement, regardless as to whether those accounts have been discovered by Atari.

3. The hearing on Atari’s request for the issuance of a preliminary injunction shall be rescheduled for the week of November 27, 2023 or any other date the Court deems appropriate.

4. Page 8, paragraph 5, is moot and dissolved from further enforcement beyond what has occurred to date.

5. The case file documents, with the exception of (1) Defendant’s Motion and accompanying papers and (2) the exhibits to the Declaration of Katie Kavanaugh, shall be unsealed on October 27, 2023.

Dated: October 26, 2023

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**~~PROPOSED~~ ORDER MODIFYING TEMPORARY RESTRAINING ORDER**

Pursuant to stipulation of the Parties, the Court hereby **ENTERS** the stipulation.

Dated: *October 27, 2023*  
*NYNY*

  
UNITED STATES DISTRICT JUDGE